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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,696	12/17/2003	Kenichirou Nakazawa	D-1565	5680

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EXAMINER	
DANIELS, ANTHONY J	
ART UNIT	PAPER NUMBER
2622	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/736,696	NAKAZAWA ET AL.	
	Examiner	Art Unit	
	Anthony J. Daniels	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☒ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on 3/24/2003. It is noted, however, that applicant has not filed a certified copy of the 2003-081283 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 103

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1,3,4,7,8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oldani et al. (US 2004/0021778) in view of Alardin (US 2003/0043279) and further in view of Kusaka (US 2004/0145660).

As to claim **1**, Oldani et al. teaches an image delivery camera system (Figure 2) comprising: a user terminal (Figure 2, remote facility "124") for receiving image information ([0065], Lines 1-5); an image delivery camera located away from the user terminal for obtaining the image information ([0065], Lines 1 and 2) and having a wireless communication unit (Figure 2, antenna (not numbered)) for performing communication to send the image information ([0065], Lines 2-4), an image delivery server (Figure 2, server "122") for receiving the image information from the image delivery camera through communication and sending the image information to the user terminal ([0052]). The claim differs from Oldani et al. in that it further requires that the wireless communication unit be a mobile type and means for determining a location of the image delivery camera according to a location of a base station in communication with the wireless communication unit in the image delivery camera to thereby obtain the position information, said position information and said image information being sent to the user terminal.

In the same field of endeavor, Alardin teaches a system including a camera apparatus for transferring images to an off-site terminal for remote viewing (Figures 1, 6 and 7). The camera apparatus comprises a GPS module for acquiring position information and transferring it to the remote viewing site ([0034]). In light of the teaching of Alardin, it would have been obvious to include the GPS ability in the camera of Oldani et al., because an artisan of ordinary skill in the art would recognize that this would be advantageous for confirming site location or for permitting tracking and recovery devices should they be moved from an intended location (see Alardin, [0034], Lines 5-10).

In the same field of endeavor, Kusaka teaches a system for transferring images from a camera to remote viewer via the Internet (Figure 1). The camera appends GPS position information to the images (Figure 8). Kusaka also teaches that in place of a GPS circuit, the camera may utilize a wireless communication unit to detect positional information by communicating with a base station ([0390]). In light of the teaching of Kusaka, it would have been obvious to one of ordinary skill in the art to modify the system of Oldani et al. and Alardin to include the base station position detection scheme, because an artisan of ordinary skill in the art would recognize that this would offer a more compact and less expensive camera apparatus (see Kusaka, [0390], Lines 7-12).

As to claim **3**, Oldani et al., as modified by Alardin and Kusaka, teaches an image delivery camera system according to claim 1, wherein said wireless communication unit includes a cellular phone (see Kusaka, Figure 1, portable telephone line "110"; [0186], Lines 6-8).

As to claim **4**, Oldani et al., as modified by Alardin and Kusaka, teaches an image delivery camera system according to claim 1, wherein said image delivery camera has means to change a shooting direction of the image so that the shooting direction of the image delivery camera can be remotely controlled by the user terminal (see Oldani et al., [0058] – [0064]).

As to claim **7**, Oldani et al. teaches an image delivery camera (Figure 2, camera assembly "120") comprising: an image pickup unit for capturing an image ([0065], Lines 1 and 2), a wireless communication unit for sending the image information (Figure 2, antenna (not numbered); [0065]). Although it is not stated explicitly, **Official Notice** is taken that frame memories in digital cameras are well known for storing video images of sequence after capture. One of ordinary skill in the art would recognize that this would alleviate the need for mechanical

shutters in cameras. The claim also differs from Oldani et al. in that it requires that the communication is a mobile type and means for determining a location of the image delivery camera is based on a base station in communication with the wireless communication unit.

In the same field of endeavor, Alardin teaches a system including a camera apparatus for transferring images to an off-site terminal for remote viewing (Figures 1, 6 and 7). The camera apparatus comprises a GPS module for acquiring position information and transferring it to the remote viewing site ([0034]). In light of the teaching of Alardin, it would have been obvious to include the GPS ability in the camera of Oldani et al., because an artisan of ordinary skill in the art would recognize that this would be advantageous for confirming site location or for permitting tracking and recovery devices should they be moved from an intended location (see Alardin, [0034], Lines 5-10).

In the same field of endeavor, Kusaka teaches a system for transferring images from a camera to remote viewer via the Internet (Figure 1). The camera appends GPS position information to the images (Figure 8). Kusaka also teaches that in place of a GPS circuit, the camera may utilize a wireless communication unit to detect positional information by communicating with a base station ([0390]). In light of the teaching of Kusaka, it would have been obvious to one of ordinary skill in the art to modify the system of Oldani et al. and Alardin to include the base station position detection scheme, because an artisan of ordinary skill in the art would recognize that this would offer a more compact and less expensive camera apparatus (see Kusaka, [0390], Lines 7-12).

As to claim **8**, Oldani et al., as modified by Alardin and Kusaka, teaches an image delivery camera according to claim 7, further comprising a driver connected to the image pickup

unit for changing a shooting direction of the image pickup unit, and a shooting direction controller connected to the driver for receiving a command from an outside terminal and controlling the driver in response to the command (see Oldani et al., [0058] – [0064]).

As to claim **10**, Oldani et al. teaches an image delivery server (Figure 1, system server "122") using an image delivery camera for sending image information, comprising: an image information acquisition unit for receiving the image information from the image delivery camera, and a delivery information generator for generating delivery information containing the image information ([0065], Lines 1-6). The claim differs from Oldani et al. in that it further requires a position information acquisition unit for acquiring position information according to a location of the image delivery camera based on a location of a base station in communication with the image delivery camera and a position display information acquisition unit for acquiring position display information corresponding to the position information acquired by the position information acquisition unit.

In the same field of endeavor, Alardin teaches a system including a camera apparatus for transferring images to an off-site terminal for remote viewing (Figures 1, 6 and 7). The camera apparatus comprises a GPS module for acquiring position information and transferring it to the remote viewing site ([0034]). In light of the teaching of Alardin, it would have been obvious to include the GPS ability in the camera of Oldani et al., because an artisan of ordinary skill in the art would recognize that this would be advantageous for confirming site location or for permitting tracking and recovery devices should they be moved from an intended location (see Alardin, [0034], Lines 5-10).

In the same field of endeavor, Kusaka teaches a system for transferring images from a camera to remote viewer via the Internet (Figure 1). The camera appends GPS position information to the images (Figure 8). Kusaka also teaches that in place of a GPS circuit, the camera may utilize a wireless communication unit to detect positional information by communicating with a base station ([0390]). In light of the teaching of Kusaka, it would have been obvious to one of ordinary skill in the art to modify the system of Oldani et al. and Alardin to include the base station position detection scheme, because an artisan of ordinary skill in the art would recognize that this would offer a more compact and less expensive camera apparatus (see Kusaka, [0390], Lines 7-12).

3. Claims 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oldani et al. (US 2004/0021778) in view of Alardin (US 2003/0043279) in view of Kusaka (US 2004/0145660) and further in view of Cazier (US # 6,657,661).

As to claim **2**, Oldani et al., as modified by Alardin and Kusaka, teaches an image delivery camera system according to claim 1, wherein the position information includes a geographic name (see Kusaka, [0202], Lines 1-8). The claim differs from Oldani et al., as modified by Alardin and Kusaka, in that it further requires that the position information includes a name of a facility close to the location of the image delivery camera.

In the same field of endeavor, Cazier teaches a digital camera which acquires GPS information. The GPS information includes a geographic name and a facility name close to the geographic area. In light of the teaching of Cazier, it would have been obvious to one of ordinary skill in the art to include the geographic and facility name acquisition in the system of Oldani et

al., as modified by Alardin and Kusaka, because an artisan of ordinary skill in the art would recognize that this would allow the remote user to have more precise knowledge of location of the camera.

As to claim **11**, the limitations of claim 11 can be found in claim 2. Therefore, claim 11 is analyzed and rejected as previously discussed with respect to claim 2.

4. Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oldani et al. (US 2004/0021778) in view of Alardin (US 2003/0043279) in view of Kusaka (US 2004/0145660) and further in view of Fukusawa et al. (US # 7,154,538).

As to claim **5**, Oldani et al., as modified by Alardin and Kusaka, teaches an image delivery camera system according to claim 1. Although it is not stated specifically, **Official Notice** is taken that direction sensors on cameras for acquiring pan, tilt and zoom coordinates are well known and expected in the art. One of ordinary skill in the art would have been motivated to do this, because they allow a system to effectively and inexpensive way to acquire the coordinates. The claim differs from Oldani et al., as modified by Alardin and Kusaka, in that it further requires that the shooting direction information being delivered to the image delivery server together with the image information.

In the same field of endeavor, Fukusawa et al. teaches a camera system comprising a camera for transmitting images to a server. The server also pan, tilt and zoom information along with the images to a remote client (Figure 2, Figure 7; Col. 9, Lines 10-18). In light of the teaching of Fukusawa et al., it would have been obvious to one of ordinary skill in the art to include the ability of the server in Oldani et al. to send the pan, tilt and zoom coordinates to the

remote facility, because an artisan of ordinary skill in the art would recognize that this would allow a user to know much farther the camera can pan, tilt and zoom if there is a limit to the field of view.

As to claim **9**, the limitations of claim 9 can be found in claim 5. Therefore, claim 9 is analyzed and rejected as previously discussed with respect to claim 5.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oldani et al. (US 2004/0021778) in view of Alardin (US 2003/0043279) in view of Kusaka (US 2004/0145660) in view of Fukusawa et al. (US # 7,154,538) and further in view of Tanaka (US 2006/0114326).

As to claim **6**, Oldani et al., as modified by Alardin, Kusaka and Fukusawa et al., teaches an image delivery camera system according to claim 5, wherein the user terminal displays position information (see Fukusawa et al., Figure 7, MT. FUJI) The claim differs from Oldani et al., as modified by Alardin, Kusaka and Fukusawa et al. in that it further requires that the wherein said user terminal displays the position information and the shooting direction information on a map image.

In the same field of endeavor, Tanaka teaches a camera system comprising a camera for transmitting images to a server. The server transmits shooting direction information on a map image (Figure 1; Figure 2; [0043], Lines 1-7). In light of the teaching of Tanaka, it would have been obvious to one of ordinary skill in the art to include the ability to display the position information as shown in Fukusawa et al. and shooting direction on the map image (*The examiner interprets the map image as the entire screen of the client computer.*) as shown in Tanaka,

because an artisan of ordinary skill in the art would recognize that this would allow the user to adjust the camera to desired position on the map.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony J. Daniels whose telephone number is (571) 272-7362. The examiner can normally be reached on 8:00 A.M. - 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc-Yen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AD
3/22/2007

TUAN HO
PRIMARY EXAMINER